

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PEDRO LUIS GAVILAN-CRUZ,
Plaintiff

v.

PENNSYLVANIA DEPARTMENT OF
CORRECTIONS,
Defendant

: No. 3:24-CV-1945
:
: (Judge Munley)
:
:
:
:

ORDER

AND NOW, in accordance with the accompanying Memorandum, **IT IS**

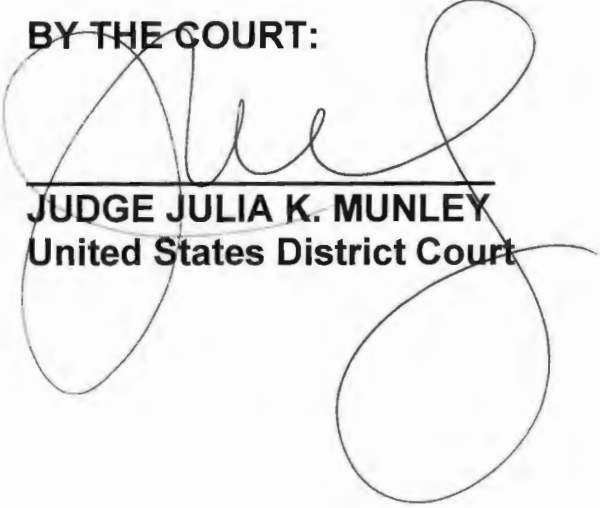
ORDERED THAT:

1. Plaintiff's Section 1983 complaint alleging deliberate indifference to serious medical needs is **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted.
2. Plaintiff, if he so desires, may file an amended complaint in conformity with the accompanying Memorandum within **21 days** of the date of this Order.
3. If an amended complaint is not timely filed, dismissal will automatically convert to dismissal with prejudice and the court will CLOSE this case.
4. The Clerk of Court is directed to terminate defendants Pennsylvania Department of Corrections and Wellpath LLC.

5. Plaintiff is admonished that if he files an amended complaint naming Wellpath LLC or its employees as defendants, his case will immediately be subject to the bankruptcy stay imposed by United States Bankruptcy Court for the Southern District of Texas. (See Doc. 10; Doc. 10-2).

Date: 2/19/25

BY THE COURT:



JUDGE JULIA K. MUNLEY
United States District Court